

**REMARKS**

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

Applicants note with appreciation the Examiner's "Response to Arguments" set forth on Page 5 of the outstanding Official Action. The Examiner indicates that the recited "an intended conveying or indexing distance" has been interpreted as "one or more", and thus the arguments made to distinguish the claimed invention over the cited art are not deemed to be commensurate in scope with the language of the claims. In view of the Examiner's comments, claim 12 has been amended to clearly set forth "a single intended conveying or indexing distance", thereby eliminating any interpretation of the same being for "one or more". Applicants respectfully submit that said amendments do not introduce any new issues or require further search or consideration, and hence, entry of the same is kindly requested.

Independent Claim 12, the only independent claim in the present application, is directed to a method of controllably conveying or intermittently conveying a web of packaging laminate provided with holes to at least one application station which is disposed to cover said holes with opening arrangements. As recited above, the method comprises, *inter alia*, determining a single intended conveying or indexing distance of the web; on the basis of a predefined profile for a second section of the indexing, dividing up the single intended indexing distance of the web into a first section and a second section; conveying the web the first section; conveying the web the second section; and during the second section of the indexing of the web, registering an actual position of a pre-made hole in the web and adapting, on the basis of the registered actual position of the hole, the second section of the indexing

of the web so that said hole arrives at a correct position in relation to an application station for applying an opening arrangement over said hole. Moreover, this operation is performed at a predetermined acceleration, thereby providing similar conditions each time an opening arrangement is applied.

By way of explanation, and as described in the specification, the claimed invention solves the problem of how to apply an opening arrangement onto a web of packaging material at the same acceleration. As stated in the description, page 4, lines 22-24, the application of opening arrangements are preferably made during acceleration, since the web is taut during acceleration and since the conditions for the application station are controlled.

Thus, in order to have a flexible and fast system, each single indexing distance (which most often is the distance between two holes for opening arrangements of two consecutive packaging laminate blanks placed after each other in the web) is divided into two sections — a first section and a second section. The first section is preferably conveyed as fast as possible and the second section, in order to have controlled conditions when applying the opening arrangements, is conveyed according to a predefined profile. Thus, the advantage of having the second section conveyed according to a predefined profile is that the application of opening arrangements can be made under similar conditions each time. Further, since the first section does not have to follow a certain profile, a more flexible system is achieved. For instance, packages with different volumes have different repeat lengths, which may be compensated for by the conveying of the first section.

In the outstanding Official Action, claims 12-18 stand rejected as either being anticipated or rendered obvious by EP 1249399 to Marbe et al. Marbe et al., which

is also assigned to the current assignee, is directed to a method of indexing a web packaging material 2 in a web packaging material processing unit 1 of a machine for packaging food products. The web 2 is fed through unit 1 along a path P and is provided with a printed pattern or design including a bar code C that periodically recurs with a defined repeat length R. See, Paragraph [0014]. The web feed is controlled according to repeated feed cycles including a first feed step of a length equal to 5R and a second feed step or length equal to 1R. Thus, as explained in Paragraph [0025], the web 2 "is advanced by one repeat length, i.e. is indexed by 1R" ... then the web 2 "is indexed by 5R" ... and then the web 2 "is indexed by 1R", etc. As such, Marbe et al. define a first feed step or first index  $L_1 = 5R$  and a second feed step or second index  $L_2 = 1R$ . Marbe et al. does not disclose or suggest dividing up each single indexing ( $L_1$  or  $L_2$ ) into two sections. The alleged "sections" referenced by the Examiner in relation to Marbe et al. are not sections of a single indexing step of the web, as in the claimed invention, but different sections of the processing unit through which the web must pass.

In contrast, the two sections (first and second) recited in Claim 12 of the present application are sections of a single feed step or indexing step, i.e., "the single intended indexing distance", and thus refer to actions *within* one single feed or indexing of the web. That is, as explained more fully in Paragraphs [0054] - [0057] of the published application, indexing step or conveying 1 may equal 1 package (or one repeat length 1R in terms of Marbe) and indexing step or conveying 2 may equal 5 packages (or 5R in terms of Marbe), but in the claimed invention, conveying 1 and/or conveying 2 is then further divided into a first section and second section, i.e., F1 +G or F2 +G. This further division of a single indexing is not disclosed or suggested in

the cited prior art. Accordingly, Applicants respectfully submit that Claim 12 is not anticipated or rendered obvious by the cited reference.

A detailed discussion of the additional distinguishing aspects of the method recited in dependent claims 13-18 is not set forth at this time as the dependent claims are allowable by virtue of their dependence from allowable independent claim 12.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that she be contacted at the number indicated below.

Respectfully submitted,

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